

Please carefully review the comments submitted in Amendment "B" since they do point out the distinctive differences between the invention presently claimed and the cited references.

The Examiner has totally ignored the fact that the laundry bins in all of the cited references unload from the top by tipping the bin over and none of them unload from a bottom which is opened as in Applicant's present invention.

Amendment "A" clearly claims that the bin is emptied through the bottom and Amendment "B" simply further emphasizes this same feature that was claimed in Amendment "A". How can this be considered as raising new issues.

What new issues??

The Examiner, in making any search after reviewing the claims in Amendment "A", should have included in his search, looking for bins that empty from the bottom. If the Examiner had looked for bins that empty from the bottom there should be no need for further search.

The Examiner contends that the term bottom, is a (relative term) and it sounds as though he is attempting to change the top of the bin to become the bottom merely by turning the bin over. In any container such as a cooking pan or other container, there is a closed bottom and an open top which may or may not have a lid. If you turn the cooking pan upside down to pour the ingredients out, the bottom is still the bottom and the top is still the top.

This same logic still applies to a laundry bin or any other kind of container. The top does not become the bottom merely by turning the bin upside down.

None of the cited art, either singly or in combination, discloses the invention as now claimed, which is with the items in the bin being discharged through the bottom of the bin when the bin has been lifted to a raised position.

REQUEST FOR REFUND OF RCE FEE

For the reasons given above it is firmly believed that Applicant should not have been required to file a Request for Continue Examination merely to

enter some minor clarification of that which was already claimed in Amendment "A", namely the emptying of the bin from the bottom.

While Applicant did file an RCE in order to comply with the requirements of the Advisory Action dated 01/31/2007 and to avoid abandonment of the Application, it is respectfully requested that the RCE Fee be refunded since Amendment "B" should have been entered and considered without the requirement to file an RCE.

For the reasons given above, it is believed that the claims as amended, should now allowable over the cited references and such action is respectfully requested. If the Examiner still feels that there are some minor matters to be resolved, Applicant's attorney would welcome a phone call from the Examiner at the below listed phone number.

Respectfully submitted,


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Certificate of Transmittal

I hereby certify that this correspondence is being facsimile transmitted to the US Patent and Trademark Office (Fax number (571) 273-8300) on February 16, 2007.

Paul E Milliken

Signature

